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10 SMITH'S FOOD & DRUG CENTERS, INC.

11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 RALPH IAZZETTA, an individual;
14 ELIZABETH IAZZETTA, an individual

15 Plaintiff,

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17 vs.

18 SMITH'S FOOD & DRUG CENTERS, INC.,
19 a foreign corporation d/b/a SMITH'S FOOD
20 & DRUG #346; DOES I through XV,
21 inclusive, and ROE CORPORATIONS I
22 through X, inclusive,

Defendants.

CASE NO. 2:14-cv-01810-JAD-NJK

**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE**

WHEREAS, counsel for the parties engaged in multiple discussions which ultimately led to a full and final resolution of this case and all claims asserted therein;

IT IS HEREBY STIPULATED AND AGREED by and between ERICK M. FERRAN, ESQ. of the law firm HITZKE & ASSOCIATES, Attorneys for Plaintiffs RALPH IAZZETTA and ELIZABETH IAZZETTA, and JERRY S. BUSBY, ESQ., of the law firm COOPER LEVENSON, P.A., Attorneys for Defendant SMITH'S FOOD & DRUG CENTERS, INC. as follows:

1. That this case, including all claims of Plaintiffs RALPH IAZZETTA and ELIZABETH IAZZETTA against Defendant SMITH'S FOOD & DRUG CENTERS, INC., shall be dismissed with prejudice, each party to bear their own attorney's fees and costs; and

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1 2. That the trial date of March 8, 2016, was previously vacated and any remaining dates,
2 including the status check set for May 16, 2016, be vacated.

3 Respectfully submitted this 11th day of May, 2016.

4 HITZKE & ASSOCIATES

COOPER LEVENSON, P.A

5 /s/ Erick M. Ferran
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9 RALPH IAZZETTA and
ELIZABETH IAZZETTA

5 /s/ Jerry S. Busby
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8 SMITH'S FOOD & DRUG CENTERS, INC.

11 **ORDER**

12 Based on the parties' stipulation, IT IS HEREBY ORDERED that this action be
13 DISMISSED with prejudice, each side to bear its own fees and costs. The Clerk of Court is
14 instructed to CLOSE THIS CASE.

15 Dated: May 11, 2016.

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17 UNITED STATES DISTRICT JUDGE